

REMARKS

The Examiner has allowed claims 13-25. Applicants have amended claims 1, 5, and 11 to claim additional aspects of Applicants' invention. Applicants have canceled claim 4. The Examiner has rejected claims 1-12 under 35 U.S.C. 103 as being unpatentable over Kozuka.

Applicants' invention relates to an optical switch the comprises at least two waveguides, such as optical fibers, attached to a respective chip. The switching function is effected by moving the chips relative to one another from a first, "open" position (Fig. 5) to a second, "closed" position (Fig. 7). In particular, independent claims 1 and 11 recite that "at least one of said chips [is] movable relative to the other chip to provide a switching function..."

In contrast, Kozuka does not disclose an optical switch. In fact, Kozuka *teaches away* from an optical switch, because Kozuka discloses that the first and second optical waveguide chips are immovable relative to one another. Kozuka states that "a molten resin material is introduced into the guide grooves 20, 40, thereby integrally joining the first optical waveguide chip 10, the second optical waveguide chip 30, and the guide pins 50. In this manner, the component assembly 210 is produced." (Column 10, lines 4-9. See also, Column 11, lines 38-42; Column 13, line 53-57.) Moreover, an object of Kozuka "is to provide a method of fabricating an optical component... in an integrated configuration, so that the optical component can be reduced in size and cost." (Column 2, lines 3-7.) It is not an object of Kozuka to provide an optical switch. Altering the Kozuka device to turn it into a switch with moving waveguide chips could only increase the size of the optical component, contrary to the quoted objective of Kozuka. Hence, there would be no motivation for one skilled in the art to modify the Kozuka optical device to arrive at Applicants's claimed invention. Therefore, for at least these reasons, Applicants respectfully request that the Examiner withdraw the rejections of independent claims 1 and 11, as well as claims 2-10 and 12, which depend respectively therefrom.

In view of the foregoing amendments and remarks, it is believed that the claims in this application are now in condition for allowance. Early and favorable reconsideration is

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respectfully requested. The Examiner is invited to telephone the undersigned in the event that a telephone interview will advance prosecution of this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Niels Haug", is written over a horizontal line.

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